IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Second Appeal No.475/2002

Kanhiya Lal S/o Shri Bheru Lal
...defendant-appellant
Versus
Devi Shankar S/o Shri Bajrang Lal
...plaintiff-respondent
AND
Gram Panchayat – Khanpur
...defendant-respondent

Date of Order ::: 16.10.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Shri Jagdish Singh Chouhan, counsel for defendant-appellant
Shri Mukesh Agarwal, Counsel for plaintiff-respondent
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By the Court:-

Heard learned counsel for the parties.

The plaintiff-respondent filed a suit for declaration and permanent injunction in the lower court, which was dismissed. However, on an appeal filed on behalf of the plaintiff-respondent, the learned first appellate court, on the basis of concession of the defendant, partly decreed the suit. Learned counsel for the defendant-appellant does not dispute the fact of concession mentioned by the first appellate court in its judgment.

In these circumstances, I do not find any illegality or perversity in the judgment and decree passed by the first appellate court.

No substantial question of law is involved in this second appeal and the same is dismissed at admission stage itself with no order as to costs.

(Narendra Kumar Jain) J.

//Jaiman//